



SURF CITY TOWN COUNCIL REGULAR MEETING MINUTES

Tuesday, May 7, 2019

Surf City Town Hall – 201 Community Center Drive

Members Present:

Mayor Douglas C. Medlin
Mayor Pro-Tem William J. (Buddy) Fowler
Nelva Albury
Donald Helms
Teresa Batts
Jeremy Shugarts

- I. CALL TO ORDER – Douglas C. Medlin, Mayor
- II. INVOCATION – William J. (Buddy) Fowler, Mayor Pro-Tem
- III. PLEDGE OF ALLEGIANCE - Donald R. Helms, Councilman

IV. MAYOR'S REMARKS –

We ask that all in attendance please set your cell phones to silent or vibrate mode. The Council offers the public an opportunities to speak during the meeting. Comments should be limited to three minutes each and must be directly issue-oriented with agenda items for this meeting, or an issue upon which the Council has control.

Citizen speakers will be acknowledged in the order in which they sign up to speak and will address all comments to the Board as a whole and not one individual Council member. Speakers will address the Council from the speaker's podium at the front of the room and will begin their remarks by stating their name and address. Discussions between Speakers and members of the audience will not be allowed. Public comment is not intended to require the Council to answer any impromptu questions. Speakers are expected to be civil in their language and presentation. Any comments where the primary purpose is to promote business or candidacy shall not be allowed.

In accordance with the Council's adopted Rules of Procedures, Councilmembers shall reserve responses, if any, for the Council Forum on the agenda.

V. ADOPTION OF THE AGENDA

Mr. Helms made a motion to approve the agenda as submitted. Mrs. Albury seconded the motion and it was carried.

VI. PROCLAMATION-

National Tourism & Travel Week – May 5-11

Municipal Clerk Week – May 5-11
National Police Week – May 11-17
National Safe Boating Week – May 18-24

VII. APPROVAL OF THE CONSENT AGENDA –

1. Approval of the Meeting Minutes- April 2nd & April 12th, 2019
2. Beautification Bylaws Update
3. Beautification Committee Appointment – Terye Kuchta
4. Resolution 2019-14 – Roland Ave & Hwy 50 NCDOT Landscaping Agreement
5. Personnel Policy – Section 19: Social Media Policy
6. Easement 2430 & 2502 S. Shore Drive

**Items under Consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Council.*

Mr. Fowler made a motion to approve the consent agenda as presented. Mr. Helms seconded the motion.

Mr. Shugarts made a motion to pull item number five Personnel Policy- Section 19: Social Media Policy from the consent agenda. There was no second.

The motion to approve the consent agenda was approved and carried.

VIII. PUBLIC HEARING –

7. Contiguous Annexation Request – Shepard’s Road by Anthony Ricciardi; 3.54 +/- Acres; Pender County Pin# 4236-14-8353-0000

Public Hearing Open at 6:56pm

Mr. Dickson with Community Development gave background on the annexation request on Shepard’s Road.

Mr. Charles Riggs with Riggs Surveying stated it is 3.54 acres on Shepard’s Road. He stated they are requesting the MFC zoning as it most resembles the current Pender County zoning. It would allow for multi or single-family dwellings.

Don McGinus of Shepard’s Rd. stated he didn’t approve of the annexation because they are neighbors with the proposed property.

Mayor stated this would not affect his property. This is only for the property that has requested it.

Richard of 503 S. Shore Drive stated he attended the planning board meeting and the applicant wants to hook into the water and sewer system. He explained that the water and sewer is at max capacity and that infrastructure should be addressed before we annex any more property.

Mrs. Loftis stated that Pender County must release this property from their water district before Surf City could issue any water services. At this time if Pender County approved than they could apply for Surf City utility services.

Mayor discussed the explanation of current services and the delegations of services. He stated the town is not above capacity and all approved subdivisions have been considered.

Rand Wooten of Shepard's Rd. questioned the stormwater run-off for this property that comes onto his property.

Mr. Riggs explained this is the first request to just annex the property only. Once this step is accomplished then they will move forward with design and permitting if desired by the owner at this time. All the site design plans will have to go through the planning board and town council.

Close Public Hearing 7:05pm

Mr. Helms made a motion to approve the annexation request. Mrs. Albury seconded the motion and it was carried.

IX. PUBLIC COMMENT– Citizens have an opportunity to address the Council for no more than three minutes per speaker on topics which concern agenda items of this meeting.

Sally Edens of 4104 4th St. explained that she has heard comments about the dune project, and she expressed her gratitude to the council and the staff for their recovery efforts. She explained she came back to the island ten days after Fran and lived without water for five weeks. She stated she understood that the town's hands are tied due to state and federal agencies. She discussed the dune project and the sifting of the sand and the delay of the project.

Peter Solan of 502 Trellis Road explained he sees a lot of our locals and homeowners every day at the restaurant and he stated that most of them are happy with the recovery efforts, and what a marvelous staff and leadership the town has. He thanked everyone.

Anthony Ricciardi of 1310 N. New River explained he has a home in Surf City and one in N. Topsail Beach and he explained that their efforts do not even compare to ours in Surf City. There are many homes and businesses in N. Topsail that will not open this year. Their dune project is lacking compared to Surf City. He thanked the Mayor and Council for the business meeting the day before.

Lee Pelon of 1210 N. Shore Drive stated she has owned property here since 1984. She asked that the questions asked in the public comment period be added to the agenda and answered online so they are not asked again and again. She asked if code enforcement will be working this summer on the weekends? She asked for enforcement on the weekends and do better at educating the renters and the rental agencies. She discussed a rental at 1218 N. Shore Drive and that the rental home did not have steps going to the beach and that the rental agency stated they were not responsible, nor would they give him a discount. She stated that it appears as if no one cares. She explained that the sticker in the home has the wrong day for trash pickup.

Bob Pelon of 1225 N. Shore Drive stated he has struggled as a Christian and making these comments; he stated he wanted Surf City to be successful. He stated one council member told him to patient. He stated the council wasted valuable time with food trucks after the hurricane. He questioned the cleaning of the bridge and rather the town owns it or not they should keep it clean. He asked for staff, volunteers and prisoners to clean the bridge. He asked for transparency and communication skills. He spoke of a rental that had not stairs and she couldn't get to the beach and she was worried for their safety due to the sand trucks hauling sand. He told her to be

thankful the bridge was done a year early as the council had previously stated. He went to items that he did not approve of within the town.

Bill Pelon of 1202 N. Shore Drive stated he read the May issue of the *Surf City Coastal Connection*. He stated he has been trying for one month to get trash carts removed from three properties. He stated the town had no ownership. Several years ago, he stated he lived on 9th St and wondered why the town truck would drive around. He stopped the truck and asked, and the employee, and the employee stated he was looking for potholes. He stated the previous Mayor told him he was older and about to retire. He then went on to explain he missed that guy because there are potholes everywhere. He then stated that the town and its predecessors has no ownership, and a terrible beach nourishment program. He stated it was tragic, the police department, fire department and community development are great and should not be messed with. He went on to praise Chief Shanahan.

Daniel Blevins of 621 B. N. Topsail thanked everyone for their amazing job regardless of what some say. He stated some must have a short-term member and not remember our streets covered with sand, the beach lined with lumber. He stated he follows social media, reads the minutes and attends the meetings. He stated he knew the Mayor is running for office he explained this is not a part time job. You cannot miss meetings for family vacations and cruises and personal items. He stated this is a seat that is the first line of defense to other state and federal agencies. He asked the public to pullup pictures and see what one hell of a job this council and staff has done. He stated the whole time the EOC was open Mayor Medlin was there the whole time. He explained the importance of the role of Mayor.

Laura Staton of 2008 N. New River discussed the missing dune signs and the non-repaired beach accesses along Lenoir Ave. She stated she spoke with Ashley Loftis and that CAMA has stated that CAMA will not allow for an access in this area. She then explained that there is a temporary access aligned with rope. She asked for someone to stand up and question CAMA and tell them no. She stated that as more visitors come, they will come and walk all over the dunes. This is an issue that needs to be addressed right away. She asked for staff to go door to door to put the No trespassing signs on each property to keep visitors off. She stated the cost of the dunes is reason enough to save them. She discussed the 9th St. handicap ramp and that it needs to be repaired and put back, that this needs to be addressed with CAMA and get it back.

Bobby Owings of 125 Windy Ridge Road thanked the council and the town clerk for the National Day of Prayer Ceremony and what it means to the town.

Jack Solak of 2408 S. Shore Drive questioned the beach nourishment project and the status of the project. He pleaded for a full nourishment project and its great importance to this island. He asked if the meetings were recorded. He stated he had rather had the pebbles on the dune and ask why the attorney was not consulted. The town needs to stand up to CAMA.

Kenny Woodard of 110 Windjammer Drive thanked Chad and his staff for all of their hard work. He appreciates the easements and the assistance it will offer the community.

Greg Miller of 110 Teaches Court thanked Chad and the Parks & Recreation staff. They look forward to working together. He thanked the elected officials for their service.

Phillip Durr of 1714 N. New River Drive thanked Ashley for the grants and her research. He thanked Mr. Shugarts for keeping him involved. He stated he was thankful for the recorded

meetings. He stated that everyone was quick to jump on Mr. Shugarts for pulling an item off the agenda and for letting Mr. Blevins speak the way he did. He thanked Mrs. Batts and Mr. Shugarts for voting against the hauling of the sand, that it was a waste of money that will be washed away. He stated that next month is hurricane month, and Surf City must be more forward with our thinking, that the town needs a contingency fund to save money for when a hurricane hits. He stated if we had the account then we could walk and chew gum at the same time. He stated it is so apparent that the town work together and have an awesome city like we once had.

Marty Martin of 1825 N. New River Drive stated he spoke with Chad about the crossovers. He thanked the Mayor and Council for all that has been done. There isn't much you can do with endangered species regulations. He asked for an opportunity for Chad to explain about the beach accesses. He stated everyone wants to come out a winner, this is his town. This board is doing an outstanding job. He asked everyone to not ask what Surf City can do for you, but what you can do for Surf City. He stated the town has money in the bank, we have paid these bills as they have come in without any FEMA reimbursement.

Richard Vesson of 2503 S. Shore Drive thanked for the opt-out option of the second summer pickup. He stated the trash carts at the house across the are still the old ones and they were not picked up. Monday was his pickup day and tonight on the way to the meeting there were still cans out by the road. He explained that the cans litter the roadways and the visitors are bombarded with trash and we can still have pride about our town. He complained about construction debris that are piled around and not in dumpster. He stated he has lived here for one year and it's been an ongoing problem. He spoke on the Maritime Plantation access and how they are not keeping people off the access.

X. COUNCIL FORUM

Mr. Helms gave a Fire department update. He wished every mother a Happy Mother's Day and a Happy Memorial Day to everyone.

Mr. Shugarts apologized for looking at this phone during the meeting. He explained he has been here for ten years and employees hundreds of people, and that this is his home. He explained that the Mayor race seems to be affecting others personally. He stated he loves the island and that Doug does too, probably more so. He stated that perception is everything, and his father and stepmother attended Marty's birthday party. He stated we have a manger council form of government and that being Mayor does take a lot of time. He stated that family is always first and yes, he missed some meetings to spend time with his son. He has six children, but it is family first always. At the end of the day he loves Surf City and he values what you have to say.

Mrs. Albury stated she was excited to see and hear everyone's comments. She stated this council is trying to do the best they can. She stated FEMA and CAMA have rules and they are above us. You go and try and go against them and they will shut you down. If you see a piece of trash pick it up, she asked everyone to love this town.

Mr. Fowler stated everything is a work in progress, some of the items brought up tonight need to be addressed. We have guidelines to follow as well; we have a savings account but when everyone wants this and that well unfortunately that is your taxes. This board has always sought to not raise taxes. The federal and state government trumps us and I am sure the attorney will tell you; you have to follow guidelines, or they will fine you and stop you. The town has saved money to insure we can be active after a storm; we must ensure that FEMA will reimburse

before we use this money. This council gives everyone the opportunity to speak their opinion rather it right, wrong or indifferent.

Mrs. Batts stated she is personally every appreciative of all the residents who take the time to come here so we can make changes. Our funds are here and available, but reimbursement is at the upmost importance which is why we have procedures. She explained that Commissioner David Williams gave an economic report for Pender County at the Kiwanis meeting. She thanked all the business owners who came out to the business meeting yesterday. It was a great meeting with some great comments from the business owners. She thanked Mayor Doug Medlin for providing the lunch out of his own pocket. She spoke of the death of Mr. DC Lanier and what an amazing man and legend he was; and he will be dearly missed. James Horne, Emergency Management Director met with each department and she gave an update.

Mayor jokingly spoke of his age and stating he has been here since 1954. He gave Mr. Bob Nolley a special acknowledgment for his previous dedications to the town. He spoke on the beach nourishment fund and how the town seeks grants and emergency funds rather than use our own funds. The town tries to be conservative as possible. He stated that the council did spend time on mega-decks and food trucks, but the citizens were divided, and they wanted to hear everyone's concerns. He stated we are working with DOT on the bridge and he walked the bridge last night and cleaned as they went. The contract they are currently working on would provide for the bridge to be cleaned one a week. He explained that the town received a \$100,000 grant for Nelva Park and FEMA will be assisting as well. FEMA now approves Hatteras ramps as ADA compliant ramps, and we have 3-4 of these going in. He thanked everyone for coming tonight.

XI. MANAGER'S REPORT

Mrs. Loftis stated the street sweep is this Saturday at Soundside Park. She reminded everyone that town staff is here an hour before the council meeting to address any concerns. She gave a beach nourishment update: The sand haul was started as soon as the beach and rights-of-way were cleared. It took till the end of December to clear the beach and rights-of-way. The bid process was then started as these are state regulated procurement procedures. After project had been started the town got a cease and desist order due to a citizen complaint about pebbles in the beach sand. The sand being placed was from a CAMA approved sand site. The project was supposed to be completed by the third week in April. Once we had to sift, we filed with Fish & Wildlife and CAMA and started multiple conversations for an extension. The town even brought in Mrs. Jean Beasley as she was lobbying on our side for sand for nesting sites. Then the night of May 1st a turtle was sighted on the beach. We are still moving forward with our private project and anticipate this private project could start fall of 2019 depending on permitting.

XII. TOWN ATTORNEY REPORTS

XIII. ADJOURNMENT

Mr. Helms made a motion to adjourn. Mr. Shugarts seconded the motion and it was carried.